

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

Benton Gene Baskin,
Plaintiff
-vs-
Todd Thomas, et al.,
Defendants.

CV-21-1890-PHX-SPL (JFM)

Order

Defendant Westbrook filed Motion to Dismiss (Doc. 20), and Defendants Diaz, et al. filed a Motion to Dismiss for Lack of Jurisdiction, for Failure to State a Claim, or Motion to Transfer (Doc. 21). Plaintiff was given through February 6, 2023 to respond. (Order 1/14/23, Doc. 23, 24.) Plaintiff then sought and was granted an extension through March 6, 2023 to respond. (Order 2/24/23, Doc. 28.) Plaintiff again sought and was granted an extension through April 5, 2023 to respond. (Order 3/24/23, Doc. 34.) Plaintiff has not sought any further extensions.

On May 30, 2023, some 35 days after the deadline, Plaintiff filed his Responses (Docs. 36, 35), which are dated May 5, 2023. His Responses offer no excusable neglect for his failure to timely respond. These delinquent responses will be stricken.


IT IS THEREFORE ORDERED:

(A) Plaintiff's Response (Doc. 35) to the Motion to Dismiss for Lack of Jurisdiction, for Failure to State a Claim, or Motion to Transfer (Doc. 21) be **STRICKEN**.

(B) Plaintiff's Response (Doc. 36) to the Motion to Dismiss (Doc. 20) be **STRICKEN**.

Dated: June 7, 2023

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James F. Metcalf
United States Magistrate Judge